



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING April 20, 2004 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:00 p.m. (The Finance Committee and Ordinance Committee, which are ordinarily scheduled to meet at 1:00 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE

Mayor Marty Blum.

ROLL CALL

Councilmembers present: Brian B. Barnwell, Iya G. Falcone, Roger L. Horton, Dan B. Secord, Das Williams, Mayor Blum.

Councilmembers absent: Helene Schneider.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, City Clerk Services Manager Mabi Covarrubias Plisky.

CEREMONIAL ITEMS

1. SUBJECT: PROCLAMATION DECLARING APRIL 25, 2004, AS SANTA BARBARA DANCE DAY (120.04)

ACTION: Proclamation presented to Julie McLeod, Santa Barbara Dance Alliance Executive Director.

PUBLIC COMMENT

SPEAKERS: Ken Loch, Scott Westlotorn, Kathiann Brown, Scott Wenz, Elsa Granados, Alana Walczak, Katherine Jankay, and Kate Smith.

CONSENT CALENDAR (Item Nos. 2-10)

MOTION:

Councilmembers Horton/Barnwell to approve the Consent Calendar as recommended.

VOTE:

Unanimous voice vote (Absent: Councilmember Schneider).

2. SUBJECT: MINUTES

RECOMMENDATION: That Council waive the reading and approve the minutes of the adjourned regular meeting of April 5, and the regular meeting of April 6, 2004.

ACTION: Approved the recommendation.

3. SUBJECT: SUBLEASE AGREEMENTS WITH METROPOLITAN THEATRES CORPORATION (330.04)

RECOMMENDATION: That Council approve the sublease between Metropolitan Theatres Corporation (MTC) with Pieces, LLC, for the property management of the spaces located at 916, 918, and 920 State Street, and approve the subleases for the operation of the retail spaces located at 918 State Street (Northstar Cafe) and 920 State Street (Sumbody).

SPEAKERS:

Staff: Transportation Manager Browning Allen.

ACTION: Approved the recommendation; Agreement No. 21,386 (April 20, 2004, Public Works Director's report).

4. SUBJECT: MAP AND AGREEMENT FOR 2540 CLIFF DRIVE (640.08)

RECOMMENDATION: That Council:

- A. Approve and authorize the City Administrator to record Parcel Map No. 20,677 by Jeannine Colette Larouche, Trustee, Van Gordon Living Trust, Owner, for a three-lot subdivision; and
- B. Approve and authorize the City Administrator to execute and record an Agreement Relating to Subdivision Map Conditions Imposed on Real Property.

ACTION: Approved the recommendations; Agreement No. 21,387 (April 20, 2004, Public Works Director's report).

5. SUBJECT: PURCHASE OF SOFTWARE UPGRADE FOR COMPUTERIZED MAINTENANCE MANAGEMENT SYSTEM (340.08)

RECOMMENDATION: That Council find it in the City's best interest to waive the formal bid process as authorized by Municipal Code Section 4.52.080 (k) and authorize the City's General Services Manager to issue a Purchase Order to Facility Management Engineering (FME) in an amount not to exceed \$39,465 for the purchase of a SQL-based software upgrade for the existing MAXIMO work order system.

ACTION: Approved the recommendation (April 20, 2004, Public Works Director's report).

6. SUBJECT: INCREASED APPROPRIATIONS AND ESTIMATED REVENUES FOR MISCELLANEOUS GRANT FUND (580.03)

RECOMMENDATION: That Council increase the appropriations and estimated revenues for the miscellaneous grant fund in the amount of \$34,000 from the City of Goleta for the Rental Housing Mediation Task Force, for services provided to residents in the City of Goleta for the period of July 1, 2002, through June 30, 2004.

ACTION: Approved the recommendation (April 20, 2004, Community Development Director's report).

NOTICES

7. The City Clerk has on Thursday, April 15, 2004, at 3:00 p.m. posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.
8. Cancellation of the regular Redevelopment Agency meeting of April 20, 2004, at 2:00 p.m. due to lack of business.
9. A special Finance Committee meeting will be held on Thursday, April 22, 2004, at 2:00 p.m., in Room 15 to hear a report regarding the Fiscal Year 2005 Recommended Operating and Capital Budget.

10. Architectural Board of Review Landscape Architect Recruitment, Interview, and Appointment Schedule:
 - A. The City Clerk's Office will accept applications through Tuesday, April 27, 2004, at 5:00 p.m. to fill the Architectural Board of Review Landscape Architect position whose term will end on December 31, 2004;
 - B. The City Council will conduct interviews of applicants for the unscheduled vacancy on Tuesday, May 4, 2004, at 3:00 p.m.; and
 - C. The City Council will make the appointment to fill the Architectural Board of Review Landscape Architect position on Tuesday, May 4, 2004.

This concluded the Consent Calendar.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

INFORMATION:

- Councilmember Williams indicated he attended a Youth Council meeting at which the idea of a youth center continued to be of importance.
- Councilmember Barnwell mentioned he attended the Conference and Visitors Bureau Executive Board meeting at which there was discussion about aligning themselves with the Santa Barbara Film Festival to enhance the event.
- Councilmember Falcone noted that Councilmember Horton and she attended the successful Earth Day celebration.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ADMINISTRATOR

11. SUBJECT: LEGISLATIVE PLATFORM (160.02)

RECOMMENDATION: That Council:

- A. Review the draft City of Santa Barbara 2004 Legislative Platform and provide direction for any necessary revisions; and
- B. Adopt the 2004 Legislative Platform and authorize the Mayor to forward the Platform to our elected representatives.

DOCUMENTS:

April 20, 2004, City Administrator's report.

SPEAKERS:

- Staff: City Administrator James Armstrong, City Attorney Stephen Wiley.
- Member of the Public: Lee Moldaver, Audubon Society.

(Cont'd)

11. (Cont'd)

ACTION:

Council concurred to ask the Council Committee on Legislation to review the suggestions and return within 30 days; and authorized staff to continue to act on the remainder of the items in the interim.

COMMUNITY DEVELOPMENT DEPARTMENT

12. SUBJECT: REDEVELOPMENT PLAN AMENDMENTS (620.04)

RECOMMENDATION: That City Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Section 900, Section 602, and Section 601A of the Amended Redevelopment Plan for the Central City Redevelopment Project Area Pertaining to Certain Time Limits Imposed Under the Plan.

DOCUMENTS:

- April 20, 2004, Community Development Director's report.
- Proposed Ordinance.

The title of the ordinance was read.

SPEAKERS:

Staff: Assistant Community Development Director/Housing & Redevelopment Manager David Gustafson.

MOTION:

Councilmembers Secord/Williams to approve the recommendation.

VOTE:

Unanimous voice vote (Absent: Councilmember Schneider).

PARKS AND RECREATION DEPARTMENT

13. SUBJECT: REALLOCATION OF BUDGETED CAPITAL IMPROVEMENT FUNDS TO PROJECTS REQUIRING ADDITIONAL FUNDING (570.07)

RECOMMENDATION: That Council approve reallocation of Parks and Recreation Department capital improvement funds to priority projects that require additional funding.

DOCUMENTS:

April 20, 2004, Parks and Recreation Director's report.

SPEAKERS:

Staff: Parks and Recreation Director Richard Johns.

(Cont'd)

13. (Cont'd)

MOTION:

Councilmember Secord/Mayor Blum to approve the recommendation.

VOTE:

Unanimous voice vote (Absent: Councilmember Schneider).

PUBLIC HEARINGS

14. SUBJECT: BOHNETT PARK EXPANSION PROJECT (570.05)

RECOMMENDATION: That Council:

- A. Hold a public hearing regarding the proposed vacation and abandonment of an untraveled portion of Victoria Street between San Andres Street and San Pascual Street;
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara, California, Ordering the Vacation and Abandonment of a Certain Untraveled Portion of Victoria Street Between San Andres Street and San Pascual Street Within the City Limits of Said City, and Providing for the Recordation of this Resolution;
- C. Approve and authorize the City Administrator to execute a Certificate of Voluntary Merger to merge the vacated portion of Victoria Street between San Andres Street and San Pascual Street, 1302 San Andres Street (APN 039-101-005) and 1308 San Andres Street (APN 039-101-006), With Existing Bohnett Park (APN 039-151-014);
- D. Introduce, and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 28.12 of the Municipal Code Pertaining to Zoning of Assessor's Parcel Numbers 039-101-005 and -006, and the 600 Block of West Victoria Street, Located at 1302 and 1308 San Andres Street; and
- E. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending the General Plan Map of the City of Santa Barbara Pertaining to Property Located at 1302 and 1308 San Andres Street and the 600 Block of West Victoria Street, Assessor's Parcel Numbers 039-101-005 and -006 and the Right-of-Way of the 600 Block of West Victoria Street.

DOCUMENTS:

- April 20, 2004, Public Works Director's report.
- Proposed Resolutions.
- Proposed Ordinance.
- Transparency of aerial map of the area.
- Affidavit of Publication.

The titles of the resolutions and ordinance were read.

(Cont'd)

14. (Cont'd)

PUBLIC HEARING OPENED:

3:20 p.m.

SPEAKERS:

Staff: Real Property Agent Dave Evans.

PUBLIC HEARING CLOSED:

3:21 p.m.

MOTION:

Councilmembers Secord/Barnwell to approve the recommendations;
Resolution Nos. 04-023 and 04-024; Agreement No. 21,388.

VOTE:

Unanimous roll call vote (Absent: Councilmember Schneider).

15. SUBJECT: MUNICIPAL CODE AMENDMENTS PERTAINING TO VISITING
VESSELS AND VESSEL AND STORAGE RACK PLACEMENT ON CITY
BEACHES (570.03)

RECOMMENDATION: That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Sections 17.20.240 and 17.20.250 of the Santa Barbara Municipal Code Related to Visiting Vessels and Vessel and Storage Rack Placement on Leadbetter and West Beaches; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Establishing Mooring, Slip and User Fees in the Santa Barbara Harbor Including Stearns Wharf, and Repealing Resolution No. 03-063.

DOCUMENTS:

- April 20, 2004, Waterfront Director's report.
- Proposed Ordinance.
- Proposed Resolution.
- Affidavit of Publication.

The titles of the ordinance and resolution were read.

PUBLIC HEARING OPENED:

3:22 p.m.

(Cont'd)

15. (Cont'd)

SPEAKERS:

Staff: Harbor Operations Manager Mick Kronman.

PUBLIC HEARING CLOSED:

3:29 p.m.

MOTION:

Councilmembers Barnwell/Falcone to approve the recommendations;
Resolution No. 04-025.

VOTE:

Unanimous roll call vote (Absent: Councilmember Schneider).

16. **SUBJECT: MARBORG INDUSTRIES, INC., FRANCHISE AMENDMENT
(510.04)**

RECOMMENDATION: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Authorizing the City Administrator to Negotiate and Execute an Amended and Restated Franchise for Solid Waste, Recyclables, and Greenwaste Collection, Processing and Disposal by and between the City of Santa Barbara and MarBorg Industries, Inc.

DOCUMENTS:

- April 20, 2004, Public Works Director's report.
- Proposed Ordinance.
- PowerPoint slides showing key elements of the franchise amendment.
- Affidavit of Publication.

The title of the ordinance was read.

PUBLIC HEARING OPENED:

3:30 p.m.

SPEAKERS:

Staff: Public Works Director Anthony Nisich, City Attorney Stephen Wiley.

PUBLIC HEARING CLOSED:

3:46 p.m.

MOTION:

Councilmembers Secord/Williams to approve the recommendation.

VOTE:

Unanimous voice vote (Absent: Councilmember Schneider).

17. SUBJECT: CONTINUANCE OF APPEAL OF PLANNING COMMISSION APPROVAL FOR 29 W. CALLE LAURELES

RECOMMENDATION: That Council:

- A. Continue the public hearing to May 11, 2004, at 2:00 p.m.; and
- B. Continue the site visit to the property located at 29 W. Calle Laureles to May 10, 2004, at 1:30 p.m.

MOTION:

Councilmembers Secord/Barnwell to approve the recommendations.

VOTE:

Unanimous voice vote (Absent: Councilmember Schneider).

RECESS

The Mayor recessed the meeting at 3:50 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 18. City Attorney Stephen Wiley stated there would be no reportable action taken during the closed session. All Councilmembers were present except Councilmember Schneider.

CLOSED SESSIONS

18. SUBJECT: CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION (160.03)

RECOMMENDATION: That Council hold a closed session to consider pending litigation pursuant to subsection (a) of section 54956.9 of the Government Code and take appropriate action as needed. The pending litigation is Janeways v. City of Santa Barbara, et al., SBSC Case Number 01111681.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

DOCUMENTS:

April 20, 2004, City Attorney's report.

TIME:

3:55 p.m. – 4:35 p.m.

No settlement approved.

ADJOURNMENT

Mayor Blum adjourned the meeting at 4:35 p.m.

SANTA BARBARA CITY COUNCIL

CITY CLERK'S OFFICE

MARTY BLUM
MAYOR

ATTEST:

MABI COVARRUBIAS PLISKY
CITY CLERK SERVICES MANAGER